

INTERNAL MEMORANDUM

To: David Cross
From: Matt Davies (Ecologist)
Ext: 5278
Memo number: 2
Date of previous memo: 22/09/2021
Date: 27/10/2021

SUBJECT: P/21/0330 | ERECTION OF A RURAL ENTERPRISE DWELLING | PENCOEDCAE FARM CWMBLACS MERTHYR TYDFIL CF48 4AJ

Are there any plans, drawings elevations of the proposed building to consider? None appear to be present within the supporting documentation.

Document supplied in support of the above application:

- o Preliminary Ecological Assessment. Pencoed Cae Farm. CSM Ecology Ltd. Version 1, dated 21 October 2021

Field survey undertaken on 20/09/2021.

COMMENTS – there are a number of issues with the report that include, but are not limited to, the following:

1.1. <i>Typo?</i> CSM Ecology was commissioned by Mr Andrew Harris undertake PEA of land at Pencoed Cae, Merthyr Tydfil, CF48 4AJ <i>Breach, BS39 5QR</i> (hereafter referred to as “site”). Please amend.
2.1. Incorrect Grid Reference - SO 06129 05395. Please amend.
Figs 1, 2, 3 and 4. Site location seems to be in the wrong place? Please amend.
The photographs provided within the report do not give a sense of the site layout and habitats, however limited they may be. A Phase 1 habitat map for the redline boundary of the site is therefore required.
3.1. Data search buffer centred on incorrect Grid Reference. Please amend.
As mentioned in comments in Memo #1, ‘ <i>An Aderyn data search is required from SEWBrEC (Package C 2km).</i> ’ The unique SEWBrEC reference number must be stated (NB this is a standard request when biological data is required).
3.1. Cut and paste error? ‘Bath & North East Somerset Biodiversity Action Plan’. Please amend.
3.2. Natural Character Areas – not relevant in Wales. Please amend.
3.3. Refers to BAP Glamorgan? MTCBC now has the Nature Recovery Action Plan. Please amend.

3.3. States the survey was undertaken in June 2021, however, 1.1 states the survey was undertaken on 20/09/2021. Please amend.

4.1. Again an incorrect Grid Reference. It also refers to a pond known to '*host great-crested newt*'. Is this information provided by an Aderyn search? More information needed. In addition, the pond to the SSE of the site is c.100m from the site and not 650m as stated. NB there is at least one other pond within 500m of the site. Is there any habitat onsite that would be suitable for GCN in its terrestrial phase? What mitigation is proposed to prevent impacts/offences in relation to GCN?

4.3. States '*No Statutory and non-statutory designated sites were identified within 2km of the site.*' – this is incorrect. For example there are x2 SINC sites within a 500m buffer of the site redline boundary, with the closest just 109m away. The pond mentioned above sits within this SINC. Amendments are therefore required. An Aderyn data search would have provided this information. Additionally, the woodland adjacent to the north of the site contains both Ancient Semi-Natural Woodland and Restored Ancient Woodland Site. Much of the woodland to the north and to the south west is part of a woodland TPO (the area of the TPO includes the development site itself). Have roost protection zones been considered? How close will the proposed dwelling be to the woodland edge?

4.3. also states that a local data search was not requested due to the '*... proposed development site lacking any noteworthy habitats and its proposed location is within the existing footprint of derelict buildings, improved grassland and hard standing*'. Data is required to assess the presence of local species, both onsite, and adjacent / close to the site. For example, a record of a bat roost within one of the derelict buildings would be significant and have a bearing on the development in terms of lighting. Local biological data is required for interpretation within the report.

4.4. mentions the NERC Act, which has effectively been superseded by the Environment (Wales) Act 2016.

There are local planning policies at Merthyr Tydfil CBC that are not referred to. The reference to Mid Glamorgan Council is incorrect.

4.5. and 4.6. National planning policy framework – the reference is out of date and the NPPF applies only to England and not Wales. Please remove.

4.7. again this applied to England and not Wales

5. should refer to the MTCBC Nature Recovery Action Plan.

5.1.2. refers to foraging habitat along woodland edge and open fields. No mention of commuting bats and roosting bats (within woodland trees and nearby derelict buildings)?

5.1.3. refers to MAGIC holding no records licences for GCN close to the site, however, MAGIC hold no records for any protected species licences in Wales. Additionally, 4.1 refers to a pond known to '*host great-crested newt*'? Where is this information from?

5.1.6. are any of the farm buildings to remain suitable for barn owl?
5.4. also refers to MAGIC maps and the fact they hold no records for dormice licences close to the site, however, MAGIC hold no records for any protected species licences in Wales.
5.5. Flora – there is no information about onsite flora – what species were present? On the aerial photographs of the site, there is what appears to be a roughly circular area of scrub/habitat? This has not been mentioned? It is assumed that the access track may be improved as part of the development. Was this surveyed? Were there species along the woodland edge that may be impacted?
6.1. states the onsite ‘... <i>buildings have little conservation value</i> ’, however, many have suitability for roosting bats (<i>for example</i> there are structures with free-flight access and so have night roost suitability for horseshoe bats). In addition, they are very close to high quality bat foraging and commuting habitat. Requires amendment.
TN2 shows a view of the intended location for the intended dwelling. It is assumed that the structures in this image will be removed. These have some suitability for roosting bats.
Other buildings that will remain (for example the concrete structure, TN5) are likely to be impacted by the development – e.g., disturbance, lighting.
The onsite buildings/structures need a Preliminary Roost Assessment for bats (+ nesting birds) and will need activity surveys in order to assess the impacts of the development. This information is required prior to determination of the application.
More information required regarding bats and lighting:
1 There must be no lighting of the woodland habitat to the north. A dark corridor must be maintained.
2 Proposed internal and external lighting must conform to https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/ . Elevation of the proposed buildings are required, for example, to assess any impacts of internal lights on the nearby woodland.
1 and 2 must be demonstrated.
Within the woodland to the north, runs the Nant Cwmbblacs, which may be suitable for otter. This is not mentioned within the report. Are there any holts close to the site? Will there be any impacts on otter?
Enhancements: there will need to be enhancement in line with the Environment (Wales) Act 2016 and Welsh Government Circular ‘Securing Biodiversity Enhancements’ sent to Heads of planning in October 2019. These must be proposed and added to the report for approval. Full specifications are required and the enhancements will be marked on all relevant plans and drawings for the site.

Appendix B – many of the legislation references require updating (Conservation (Natural Habitat, &c.) Regulations 1994 should be The Conservation of Habitats and Species Regulations 2017 (as amended)) and references to Natural England need to be changed to Natural Resources Wales.